

REMARKS

This responds to the Office Action mailed on March 25, 2004.

Claims 4, 10 and 15 are amended, no claims are canceled or are added; as a result, claims 1 – 15 are now pending in this application.

Drawing Objections

The drawings were objected to under 37 C.F.R. 1.83(a) on the basis that they allegedly fail to show the core 10 as described in the specification (page 11, line 3).

Applicants have amended the specification to remove the reference to “10” which was not intended to be a drawing reference number and is not needed to clarify the specification and or drawings. In light of the amendment, withdrawal of the objection is respectfully requested.

Claim Objections

Claim 15 was objected to due to informalities. The amendment to that claim adopted the Examiner's suggestion so that it is believed that the amended claim now overcomes the objection.

Allowable Subject Matter

Claims 4-7 and 10-12 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4 and 10 have been rewritten as independent claims including all of the features of their respective independent claims 1 and 8 and intervening claim 2 and 3 and 11. With the entry of the amendment claims 4-7 and 10-12 are in condition for immediate allowance.

Applicants have considered the statement of reasons for allowance of those claims and agree that the listed features in the paraphrase of the claim language and other claimed features distinguish those claims from the patents cited in the Office Action.

§103 Rejection of the Claims

Claims 1-3, 8, 9 and 13-15 were rejected under 35 USC § 103(a) as being unpatentable over Jeddelloh (U.S. 6,401,213) in view of Ho (U.S. 6,477,659). Applicants respectfully traverse the rejection for the reasons stated below.

The cited Jeddelloh patent relates to a timing circuit using a delay circuit to adjustably delay and generate a data strobe signal. It determines a timing relationship between a sampled clock signal and a sampled data signal to allow optimal delay of a read data strobe to transition in the middle of a data signal's data eye. It does not determine timing margins.

The cited Ho patent relates to measurement of timing margins by varying clock skew between clock signals used for various components in the system and determining the timing margin by determining when the skew has increased to a point where the system no longer operates correctly.

Independent claims 1, 8 and 13, by way of example, each call for a system for determining time margins between data and strobe signals. The claimed invention does not determine time margins between a clock signal and a sampled data signal as Jeddelloh apparently does; rather it measures the margin between data and strobe signals. Ho was cited in the office Action as showing "a method for measuring the time margin between two signals" (OA, page 3, last two lines) but does not show measuring time margin between data and strobe signals, as claimed. The Office Action does not point to anything in Ho or Jeddelloh that can be combined to provide a system measuring time margin between data and strobe signals as claimed in any of claims 1, 8 and 13.

In order to set forth a *prima facie* case of obviousness by combining two patents, an Office Action is required to provide evidence of a motivation or a suggestion to combine the patents as proposed and evidence of a reasonable expectation of success if the combination is made (MPEP 2143). Additionally, the proposed combination must include all of the elements of the claim (MPEP 2143.03). Here there was no evidence of a suggestion or motivation to combine Jeddelloh and Ho in the manner proposed in the Office Action. It is insufficient to suggest that such evidence is provided merely by alleging "they both teach method for determining the timing relationship between two signals" (OA page 4, lines 6-7). Furthermore,

even if combined, they do not deal with the margin between the same signals required in each of claims 1, 8 and 13. The Office Action does not provide evidence that Jeddeloh and Ho, taken singly or in combination, teach or suggest structure to determine timing margin between data and strobe signals as independent claims 1 and 8 require. Reconsideration and allowance of claims 1, 8 and 13 and each of their dependent claims is respectfully requested.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney ((612) 349-9592) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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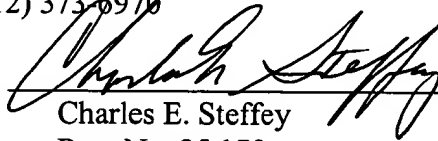
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May 25, 2004

By



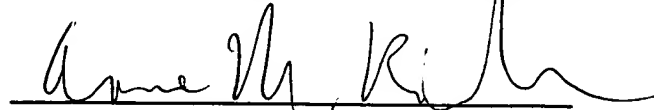
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25th day of May 2004.

Anne M. Richards

Name



Signature